

AGENDA EXCOMM MEETING

**Trusts and Estates Section
State Bar of California**

**JUNE 5, 2004
SFO WESTIN — 9:30 A.M. to 3:30 P.M.**

I. WELCOME, INTRODUCTIONS AND REPORTS OF CHAIR/VICE CHAIR

- 1. Welcome** [GODSHALL]
- 2. Approval of Minutes of April Meeting** [GODSHALL]
- 3. Report of Chair** [GODSHALL]
- 4. Report of Vice Chair** [FITZPATRICK]
- 5. Report of Section Administrator** [ORLOFF]
Administrative Matters

II. ADMINISTRATIVE MATTERS

- 1. Finance and Budget – Financial Report** [FITZPATRICK]
- 2. Council of State Bar Sections** [OLDMAN]
- 3. Nominating Committee Report** [OLDMAN]

III. COMMITTEE, TASK FORCE AND LIAISON REPORTS

- 1. Litigation Committee** [HORTON]
 - (a) No contest repeal proposal [Horton/Kovar]
 - (b) Proposed ADR model rules [Henden]
 - (c) Combining will/trust procedures [Kovar]
 - (d) New cases [Streisand/Horton]
 - (e) Probate fiduciary -- BPC § 6125 project?
- 2. Legislation** [POTTS]
 - (a) Report on pending legislation
 - (b) Legislative proposals submitted to State Bar for next year
 - (c) State Bar Webpage & Online Bill Tracking legislative information:
Larry Doyle's Legislative Information Page:
www.calbar.ca.gov/calbar/html_unclassified/ViewBillCatalogues.html
 - (d) **IMPORTANT GUIDELINES:**
 - Please use approved format for legislative proposals.
 - Please Use Comment form for comments on

legislation as a member of EXCOMM.

- Always write to Larry Doyle, not directly to a member of legislature or legislative staff.
- If you agree to testify, be there unless otherwise notified.

3. Trust & Estate Administration Committee

[MacDONALD]

- (a) Opposition to SB 1248 (Trustee Registration) **[Henden]**
- (b) Recording Notice of Change of Trustee (AB 1848) **[Hartog]**
- (c) Unitrust Safe Harbor Proposal **[Burger]**
- (d) Exploratory workgroup on graduated probate filing fees **[Potts]**
- (e) Trustee bond waiver/PC § 15602 – AB 1883 **[Reggiardo]**
- (f) Clarification of H&SC § 103526(a)(5) (obtaining certified copy of death certificate if no probate)
- (g) Temporary Trustee powers
- (h) Probate fiduciary -- BPC § 6125 project?

4. CLRC Committee

[MOORE]

- (a) Section support for CLRC re state budget cut-backs
- (b) Report on CLRC meeting
- (c) Legal Malpractice S/L
- (d) Multiple party accounts
- (e) Other pending or looming CLRC projects
- (f) Shares of Omitted Spouse (Work on Abatement Statute Deferred)
- (g) Uniform Trust Act/Prof. English Report

5. Educating Seniors

[TONG]

- (a) Revision of Senior Information Hotline **[Potts]**
- (b) Speaker's Bureau **[Tong]**
- (c) Proposed GC § 27389 (AB 2783) and AB 2316 **[Pollard]**
- (d) Financial abuse booklet

6. Incapacity

[HARRIS/STERN]

- (a) Opposition to AB 2102 (MediCal abuse)
- (b) PC §§ 1900-1901 and 2351.5 amendments
- (c) B&PC § 6068.5 — Attorney role in helping at-risk clients **[Lodise]**
- (d) HIPAA Issues working group
- (e) Ongoing projects:
 - (1) Conservator investment powers – reform of

- PC § 2574
 - (2) Appointed counsel for the already represented – amendment of PC §§ 1470-1471
 - (3) Conservator independent powers – PC §§ 2590-2591
 - (f) AB 1101 Task Force **[Lodise]**
 - (g) DHS – Revamping of Medi-Cal law
- 7. Ethics Committee** **[WOLFF]**
 - (a) Report of Liaison to Revision Commission
 - (b) Status of Ethics Guide Update
- 8. Estate Planning Committee** **[BEAMER]**
 - (a) 2 Year Bill re Posthumous Children (AB 1910) **[Sinsheimer]**
 - (b) PC § 21350 care custodian project **[Payne]**
 - (c) AB 252 (dis-establishing paternity)
 - (d) Revocable deed w/reserved life estate
- 9. Membership & Marketing** **[ALBERIO]**
 - (a) Membership count
 - (b) Marketing of education programs
 - (c) Staffing tables at MCLE programs
- 10. Income and Transfer Taxes** **[ALLEN]**
 - (a) State Legislation of Note
 - (b) Federal Legislative Developments
- 11. Quarterly** **[HANDELMAN]**
 - (a) Winter 2003 Issue status
 - (b) Spring 2004 Issue status
 - (c) Solicitation of articles
 - (d) Advertising **[Streisand]**
- 12. Education** **[KOONTZ]**
 - (a) Report on Winter SEI Programs
 - (b) Fundamental "How to Prepare The Form 706" [June 2004]
 - (c) Status of programs for 2004 State Bar Meeting/Fall Road Show (11-5-04)

13. **McAdams Task Force** [LODISE]
 (a) Members
 (b) Status
14. **Conference of Delegates** [MOORE]
15. **Computer/Internet** [HANDELMAN]
 (a) Listserve
16. **CEB** [DENNIS-STRATHMEYER]
 (a) Upcoming Programs
 (b) Ads in CEB publications
17. **NCCUSL Observers**
 (a) Uniform Trust Act
 (b) Uniform Institutional Management of Funds Act
 (c) Uniform Allocation of Tax Act - Birnberg

IV. COMING ATTRACTIONS

FUTURE EXCOMM MEETINGS

July 12, 2004
LAX — 9:30 A.M. to 3:30 PM.
[If Needed?]

STATE BAR ANNUAL CONVENTION — MONTEREY

October 9, 2004
Orientation Meeting for New Members
[Committee chairs & ExComm officers]

October 9, 2004
Annual ExComm Dinner

October 10, 2004
ExComm Meeting